

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF NEW MEXICO

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 vs. NO: 14-CR-2783-JB

6 THOMAS RODELLA, SR., et al.,

7 Defendants.

8

9 Excerpted testimony of Thomas Rodella, Jr.,
10 Transcript of Jury Trial before The Honorable James
11 O. Browning, United States District Judge,
12 Albuquerque, Bernalillo County, New Mexico, on
13 September 25, 2014.

14

15 For the Plaintiff: Ms. Tara C. Neda

16 Mr. Jeremy Pena

17 For the Defendant Thomas Rodella, Sr.:

18 Ms. Louren M. Oliveros

19 Mr. Robert J. Gorence

20

21

22 Mary Abernathy Seal, RDR, CRR, NM CCR 69
Bean & Associates, Inc.

23 Professional Court Reporting Service
201 Third Street, Northwest, Suite 1630
24 Albuquerque, New Mexico 87102

25

EXHIBIT

tables

A

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

**BEAN
& ASSOCIATES, Inc.**
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

1 everything you do, you suffer from the poor
2 concentration that we've already talked about;
3 right?

4 A. Oh, yes.

5 Q. Okay. And then you have problems with
6 your memory. Although I heard you testify earlier
7 you don't, but you have difficulties with your
8 memory, don't you? Both short- and long-term and
9 you have reported that, didn't you?

10 A. Not that I recall, no.

11 Q. Okay.

12 MR. GORENCE: Your Honor? At this point
13 can I get a copy of the -- can we approach for a
14 second?

15 THE COURT: You may.

16 (The following proceedings were held at
17 the bench.)

18 THE COURT: Do you have a copy of it?

19 MR. GORENCE: I know they were provided to
20 Mr. Bowles and then the case was dismissed. I have
21 never seen the medical reports and she's
22 cross-examining on it, and I would like all of them.

23 MS. NEDA: That's right, I am
24 cross-examining him. I gave it to Mr. Bowles and I
25 said, "Please give this to Mr. Gorence. I don't

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

**BEAN
& ASSOCIATES, Inc.**
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

1 want to make that decision of invading the privacy
 2 of his client."

3 Now, you know Mr. Bowles and Mr. Gorence
 4 work together. And you know Mr. Gorence knew full
 5 well I was going to come in here with this
 6 information. So once again, my direct
 7 examination -- excuse me, my cross-examination --

8 THE COURT: Mr. Bowles? Mr. Bowles?

9 MR. BOWLES: Yes, Your Honor.

10 (Mr. Bowles approached the bench.)

11 THE COURT: Do you have them in a nice
 12 little set I could Xerox?

13 MS. NEDA: I don't. I have one set.

14 THE COURT: Do you have a set, though,
 15 that you can hand --

16 MS. NEDA: It's this, and I have it all
 17 tabbed. So Mr. Bowles can provide a set if he has
 18 it.

19 THE COURT: Do you have any problem with
 20 the Government giving Mr. Gorence a copy of
 21 Mr. Rodella, Jr.'s medical records?

22 MR. BOWLES: No, Your Honor.

23 THE COURT: All right. Well, I got to get
 24 a set into his hands. Do you have the set that was
 25 given to --

SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@litsupport.com

1 for you.

2 MR. GORENCE: That's all I want.

3 THE COURT: In the meantime, if you need
4 to look at a medical thing, medical document, so we
5 don't slow down, and have anything, if you need to
6 see it, you'll just have to show it to him until we
7 get it over here.

8 MS. NEDA: That's going to ruin my flow,
9 Your Honor, as I'm sure you well know.

10 THE COURT: Well, I'm trying to avoid
11 that. Be judicious in what you ask for.

12 MS. NEDA: I would rather do a break
13 instead, Your Honor. **This is cross-examination.**
14 **There's no requirement that I give it to him, but I**
15 **did give it to Mr. Bowles, telling him if he wished,**
16 **he could give it to Mr. Gorence.**

17 THE COURT: Hold on a second. Let's not
18 waste Mr. Bowles' time.

19 Why don't you go make that call real quick
20 and get it here.

21 MR. GORENCE: I would just like -- if
22 she's referring to them as if they're fact, I need
23 to see that, Your Honor, and I didn't -- I just
24 don't have a copy. **I have never been provided a**
25 **copy by Mr. Bowles.**

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

**BEAN
& ASSOCIATES, Inc.**
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com